REMARKS

This paper is responsive to the Final Office Action dated October 16, 2008 and to the Advisory Action dated January 13, 2009. All rejections are respectfully traversed and reconsideration is respectfully requested.

Claims 1-51 are pending in the present application. No claims are added and no claims are cancelled. Accordingly, claims 1-51 remain pending.

In this Amendment, Applicant has amended claims 1, 4, 8, 17, 26, 35, and 44. Applicant is not conceding that the subject matter encompassed by claims 1, 4, 8, 17, 26, 35, and 44 prior to this Amendment is not patentable over the art cited by the Examiner. Claims 1, 4, 8, 17, 26, 35, and 44 were amended solely to facilitate expeditious prosecution of the present application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1, 4, 8, 17, 26, 35, and 44 as presented prior to this Amendment and additional claims in one or more continuing applications.

Interview Request

The undersigned respectfully requests the courtesy of a telephone interview with the Examiner at the Examiner's earliest convenience. The undersigned can be reached at the telephone number below.

Response to Advisory Action Remarks Dated January 13, 2009

The Advisory Action dated January 13, 2009 makes several allegations about the disclosure of U.S. Patent No. 5,838,873 to Blatter et al (hereinafter "Blatter") in support of maintaining the rejections within the Final Office Action dated October 16, 2008. (See Advisory Action dated January 13, 2009, page 2 for all citations below). Applicant has again reviewed the Blatter reference in the context of the Advisory Action and believes that the Patent Office has over-broadened the actual disclosure of the Blatter reference to a point of mischaracterizing the actual disclosure of the Blatter reference.

In response to the allegations in the Advisory Action, Applicant respectfully provides the following responses. The Patent Office alleges that the Blatter reference discloses that a "Head

end or Broadcaster (HE), constructs a program association table (PAT) that associates programs with primary PIDS (see figs.2 and 3)." However, Applicant has analyzed Fig. 2 and Fig. 3 in detail and finds that the actual disclosure is clearly different from the alleged disclosure. The disclosure reference by the Patent Office is actually referring to a receiving device (e.g., a set top box) and not a head end. While PAT tables can be transported as program specific information in an MPEG transport stream, the undersigned finds no such teachings in the cited portions of Blatter. For example, Fig 2. and Fig. 3 (as cited by the Patent Office) represent processes that are executed on a controller 115 (See Fig. 1). The controller 115 very clearly resides in a system 25 that receives a carrier modulated with video data via an antenna 10. (See Blatter, column 3, line 51). As such, the figures cited by the Patent Office reference a receiving device and not a head end. Accordingly, the allegations within the Advisory Action that these figures of the Blatter reference refer to a head end are incorrect.

Further, the processes described in Fig. 2 and Fig. 3 are disclosed as improving storage in the receiving device. (See Blatter, column 3, lines 29-33). As such, the processes referenced within Fig. 2 and Fig. 3 are not related to head end processing and the allegations to this effect within the Advisory Action mischaracterize the actual disclosure of the Blatter reference.

The Advisory Action further alleges that in Blatter a "HE [head end] further constructs a plurality of program map tables (PMT) (see col. 7, lines 5-48 . . . .)." (emphasis added). However, Applicant has reviewed the cited portions of the Blatter reference and finds that the referenced PMT actually appears to be generated within the controller 115. As discussed above, the controller 115 actually resides within the receiving device. As such, the generation of the PMTs within the Blatter reference is apparently not related to head end processing and the allegations to this effect within the Advisory Action mischaracterize the actual disclosure of the Blatter reference. While PMT tables can be transported as program specific information in an MPEG transport stream the undersigned is unable to identify any such teachings in the cited portions of Blatter.

While these distinctions are significant in indicating some of the flaws in the Office's position in this matter, of greater significance is that the Advisory Action further alleges that "a HE further constructs a lookup table that maps at least one primary PID to at least one shadow

PID." Applicant has reviewed the cited portions of the Blatter reference and finds that the lookup tables of the Blatter reference are not only <u>different from Applicant's claimed lookup tables</u>, but also finds that the lookup tables are <u>generated within the controller 115</u> for <u>storage</u> and in response to receipt of the carrier modulated with video data via the antenna 10. The constructed lookup tables are stored in the selection unit 45 and the selection unit 47 within the receiving system 25. (See Blatter, Figure 1 and column 5, lines 9 and 10). And importantly, <u>no concept of a lookup table relating a program to both a primary PID and a shadow PID as claimed is known to exist in the prior art, and none is shown in Blatter.</u>

Applicant believes that the Patent Office still misunderstands Applicant's use of the term "shadow PID," as previously addressed. Applicant provides clarifying amendments herein to further assist the Examiner with reconsideration of the present rejections. Applicant discusses those amendments in detail below under a separate heading. But, it is important to recognize that <u>Blatter fails to teach shadow PIDs</u> as defined in the specification and as is now explicitly defined within the claims.

The Advisory Action further alleges that the "LUT is used to map a PID to one least a [sic] PID with a different version number or offset." However, that is not what Applicant has claimed. Accordingly, this allegation is not believed to be particularly relevant to Applicant's claimed subject matter.

Accordingly, reconsideration and allowance are respectfully requested at an early date.

Claim Amendments

Applicant has amended claims 1, 4, 8, 17, 26, 35, and 44 to further clarify the nature and relationship of the claimed primary PID and the claimed shadow PID. Applicant is confident that these amendments will assist the Examiner with reconsideration of the present rejections. No new matter has been added. Support for the amendments may be found within the Specification as originally filed. (See Specification, page 7, lines 2-7, and page 9, lines 12-16).

Claims 1 and 4 have been amended to clarify that the claimed lookup table maps at least one primary PID <u>that identifies a portion of a program encrypted under a first encryption system</u> to at least one shadow PID <u>that identifies a duplicate of the same portion of the program</u>

encrypted under a second encryption system. As such, the same portion of the same program is encrypted under two different encryption systems and each portion is identified by a different PID. This amendment is consistent with the meanings attributed to these terms in the specification and accordingly has no narrowing effect on the claims. A minor amendment has also been made to claim 1 to correct an error in antecedent basis.

Claims 8, 17, 26, 35, and 44 have been amended to clarify that the related primary and shadow PIDs each identify duplicated portions of a program encrypted under a first encryption system and a second encryption system, respectively. As such, a duplicated portion of the same program is encrypted under two different encryption systems and each portion is identified by a different PID. Again, this amendment is consistent with the meanings attributed to these terms in the specification and accordingly has no narrowing effect on the claims.

In contrast to Applicant's claimed subject matter, the Blatter reference discloses an approach to generating condensed program specific information (CPSI) that operates by assigning the same PIDs to multiple programs. (See Blatter, Table I, column 9, lines 1-21, where both Program 1 and Program 2 use PID 0400 and identical offsets for components associated with the two different programs). Applicant has clarified that the same portion of a program is identified by the primary PID and the shadow PID when encrypted with different encryption systems. As such, the Blatter reference does not teach or suggest Applicant's claimed subject matter and additionally teaches away from Applicant's claimed primary and shadow PID.

To further contrast Applicant's claimed subject matter, the Blatter reference discloses "a base PID for identifying one datastream and a second PID of predetermined offset value to the base PID for identifying a second datastream." (See Blatter, column 2, lines 44-47, emphasis added). As such, the Blatter reference does not assign different PIDs to the same portion of a program. Applicant finds no teaching or suggestion of duplicating any portion of a program within the Blatter reference. Instead, the Blatter reference assigns different PIDs to different portions of a program or to different programs.

Additionally, the Blatter reference discloses that "renumbered PIDs are determined by assigning a fixed (base) PID to identify the PMT and by adding predetermined offset values to the base PID to determine the PID values for the video, audio, caption, PCR and NIT" for a

program. (See Blatter, column 8, lines 23-27, emphasis added). Again, the Blatter reference makes clear that it does not assign different PIDs to the same portion of a program. Instead, the Blatter reference makes clear in this passage that it assigns different PIDs to different portions of a program.

Accordingly, the Blatter reference does not teach or suggest Applicant's claimed primary PID and shadow PID that identify a duplicated portion of a program encrypted under different encryption systems. In fact, it appears that the Blatter reference actually teaches away from Applicant's claimed subject matter by providing a very different use of multiple PIDs for program processing.

Applicant trusts that the Patent Office will appreciate Applicant's clarification of the claimed primary PID and shadow PID to provide support in the record and claims to pass the present application to issue. Applicant respectfully submits that all claims are in condition for allowance and notice of the same is requested at the earliest possible date.

Additional Discussion Regarding the Rejection of Claims 8 through 51

Applicant provides additional discussion regarding the rejection of independent claims 8, 17, 26, 35, and 44 and their dependent claims to further assist the Patent Office in determining that the rejection of claims 8, 17, 26, 35, and 44 and their respective dependent claims is improper and should be withdrawn.

Regarding the rejection of claim 8, claim 8 recites, among other things, "detecting a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer in response to the detecting; and searching a last packet stored in the first buffer for a packet corresponding to the packet having the shadow PID." The Patent Office asserts within the Final Office Action dated October 16, 2008 that the Blatter reference discloses these elements of claim 8. However, Applicant has carefully reviewed the cited portions of the Blatter reference and respectfully submits that the Patent Office has not identified multiple elements of these phrases of claim 8 within the Blatter reference.

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The Patent Office asserts that the controller 115 performs all of the recited elements of the phrases of claim 8 identified above. (See Final Office Action dated October 16, 2008, page 5). However, the Blatter reference makes clear within the portion cited by the Patent Office that one of four buffers holds data destined for use by the controller 115 and that the other three buffers hold packets destined for three other specified devices. Applicant has searched the cited portions of the Blatter reference and finds no teaching or suggestion of Applicant's claimed subject matter.

Due at least in part by the Patent Office's misinterpretation of Applicant's shadow PID, as discussed above, the Patent Office appears to have also mischaracterized the disclosure of the Blatter reference with respect to these additional elements of claim 8. The Blatter reference clearly discloses that the "unit 60 contains four packet buffers accessible by the controller 115. One of the buffers is assigned to hold data destined for use by the controller 115 and the other three buffers are assigned to hold packets that are destined for use by application devices . . . ." (See Blatter, column 5, lines 47-51). As such, these specific buffers are assigned to specific tasks within the Blatter reference.

Applicant finds no teaching or suggestion within the cited portions of the Blatter reference of detecting a packet having the shadow PID and a shadow payload in the incoming data stream, as claimed. Additionally, Applicant finds no teaching or suggestion of switching the stream of packets having the primary PID to a second buffer in response to the detecting, as claimed. Furthermore, Applicant finds no teaching or suggestion of searching a last packet stored in the first buffer for a packet corresponding to the packet having the shadow PID, as claimed.

Applicant respectfully submits that, in addition to misinterpreting and failing to identify Applicant's claimed shadow PID within the Blatter reference, the Patent Office also has not identified these multiple additional elements of claim 8 within the Blatter reference. Accordingly, the rejection of claim 8 and its dependent claims should be withdrawn for at least these additional reasons.

Claims 17, 26, 35, and 44 are rejected by the Patent Office without elaboration or identification of the respective elements of claim 17, 26, 35, and 44 within the Blatter reference.

Applicant respectfully submits that the Patent Office has failed to identify multiple elements of claims 17, 26, 35, and 44 with the Blatter reference and that the rejection of these claims is improper. Accordingly, the rejection of claims 17, 26, 35, and 44 and their dependent claims should be withdrawn for at least these additional reasons.

Restatement and Incorporation of Response to Final Office Filed December 4, 2008

Applicant reiterates and stands by Applicant's Response to Final Office Action filed December 4, 2008. The substance of that Response is provided below for the Examiner's convenience and Applicant incorporates that Response by reference in its entity as if fully set forth herein.

Regarding the Rejection Under 35 U.S.C. § 102

Claims 1-51 were rejected under 35 U.S.C. § 102, as being allegedly anticipated by U.S. Patent No. 5,838,873 to Blatter et al (hereinafter "Blatter"). This rejection is respectfully traversed.

For the Patent Office to establish anticipation, the Patent Office must show where each and every element of the claims is shown in a single reference. Further, the elements must be arranged as required by the claims. (See MPEP § 2131). The requirement that each and every element be disclosed in the manner claimed is a rigorous standard that the Patent Office has not met in this case.

Prior to addressing the merits of the rejection, Applicant offers the following brief summary of certain implementations consistent with the present subject matter as claimed to provide context for the discussion that follows, without intent to limit the scope of any claim. Applicant has devised a way to use multiple program identifiers (PIDs) to identify portions of a single program that are encrypted with different encryption algorithms. The multiple PIDs are termed primary PIDs and shadow PIDs and identify portions of the same program that are encrypted with a first encryption technique and a second encryption technique, respectively. The

primary PID and the shadow PID may be distributed, received, and processed to identify and process the portions of the same program encrypted with the different encryption algorithms.

In contrast, the Blatter reference discloses an approach to generating condensed program specific information (CPSI) that operates by assigning the same PIDs to multiple programs. (See Blatter, Table I, column 9, lines 1-21, where both Program 1 and Program 2 use PID 0400 and identical offsets for components associated with the two different programs). The Blatter reference discloses that adaptively generates PSI to reduce processing and storage overhead. (See Blatter, column 3, lines 29-33). After detailed review, Applicant finds that the Blatter reference neither teaches nor suggests use of a primary PID and a shadow PID to identify portions of a single program that are encrypted with different encryption algorithms. As such, the Blatter reference discloses an approach that is distinct from Applicant's claimed subject matter in many fundamental ways. Accordingly, as discussed in more detail below, the Blatter reference fails to anticipate Applicant's claimed subject matter.

Applicant believes that the Patent Office may appreciate further clarification regarding Applicant's use of the term "shadow PID" within Applicant's claims. The Patent Office is respectfully reminded that while a claim term must have basis within the specification with clear disclosure as to the term's import, a term used in the claims may be given a special meaning in the description. (See MPEP § 608.01(o)). Applicant respectfully submits that it has given a special meaning to the term "shadow PID" within the specification and within the claims. For example, Applicant describes on page 7, lines 2-7, of Applicant's specification that:

> [E]ncrypted packets [have] . . . the first [primary] PID. . . . The same encrypted packets having the primary PID are also duplicated and encrypted under a second encryption system and assigned the shadow PID. (bracketed text added).

Applicant further describes on page 9, lines 12-16 of Applicant's specification that:

In this example, one packet is encrypted under a first encryption technique and the other is encrypted under a second encryption technique. One is assigned a primary PID and one is assigned a shadow PID. They are corresponding in that they ultimately carry the same payload once encrypted.

As such, Applicant defines that a primary PID identifies at least a portion of a program encrypted using a first (primary) encryption technique and that a shadow PID identifies a portion of the same program encrypted using a second encryption technique. Applicant respectfully submits that Applicant's "shadow PID" is not taught or suggested within the Blatter reference and that the Blatter reference does not anticipate Applicant's claims for this and other reasons.

As a preliminary matter, the Patent Office asserts that the Blatter reference discloses Applicant's shadow PID. (See Final Office Action dated October 16, 2008, page 2). However, Applicant has reviewed the multiple cited portions of the Blatter reference and additional portions of the Blatter reference in detail and finds that the Blatter reference actually discloses "a base PID for identifying one datastream and a second PID of predetermined offset value to the base PID for identifying a second datastream." (See Blatter, column 2, lines 44-47). Additionally, "renumbered PIDs are determined by assigning a fixed (base) PID to identify the PMT and by adding predetermined offset values to the base PID to determine the PID values for the video, audio, caption, PCR and NIT" for a program. (See Blatter, column 8, lines 23-27, emphasis added). The Blatter reference further discloses that the condensed PSI (CPSI) "of both program 1 and program 2 would contain a PAT with a PID entry (0400) identifying a single PMT." (See Blatter, column 9, Table I and lines 29-32).

As such, the Blatter reference discloses identifying different data streams with the base PID and the second PID, discloses identifying a PMT for a program within a base PID and using different offset PIDs to identify different portions of the same program (e.g., video, audio, etc.), and discloses identifying two programs with the same PID entries for the various data streams associated with the different programs. Applicant respectfully submits that it finds no teaching or suggestion of Applicant's shadow PID, as defined by Applicant, within the Blatter reference. Accordingly, the Blatter reference does not anticipate Applicant's shadow PID as claimed.

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<u>Claims 1-3</u>

Regarding the rejection of claim 1, claim 1 recites, among other things, "constructing a lookup table that maps at least one primary PID to at least one shadow PID . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, page 3). However, as discussed in detail above, the Blatter reference does not anticipate Applicant's shadow PID. Accordingly, the rejection of claim 1 should be withdrawn for at least this reason. Additionally, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

The Blatter reference actually discloses constructing lookup tables <u>for storage</u> in selection unit 45 and selection unit 47 within the receiving transport system 25. (See Blatter, Figure 1 and column 5, lines 9 and 10). The lookup tables <u>stored</u> within the selection unit 45 and selection unit 47 are memory mapped to encryption key tables that are also stored in the selection unit 45 and the selection unit 47. (See Blatter, Figure 1 and column 5, lines 10-12). The lookup table stored within the selection unit 45 is also memory mapped to a destination table that matches packets containing pre-loaded PIDs with corresponding destination buffer locations in packet buffer 60. (See Blatter, Figure 1 and column 5, lines 19-22).

Applicant has studied the Blatter reference in detail and finds no teaching or suggestion of constructing a lookup table that maps at least one primary PID to at least one shadow PID, as claimed. As such, the lookup tables of the Blatter reference are different from the claimed lookup table that maps at least one primary PID to at least one shadow PID. Accordingly, the Blatter reference does not anticipate claim 1 for at least this reason and the rejection of claim 1 should be withdrawn.

Claim 1 additionally recites, among other things, "<u>broadcasting</u> the PAT, the PMTs and <u>the lookup table</u> over the content delivery medium." (emphasis added). Applicant has identified portions of the Blatter reference above that clearly disclose that the lookup tables of the Blatter reference are <u>stored</u> within the various components of the receiving transport system 25. As discussed above, the stored lookup tables of the Blatter reference are different from Applicant's

claimed lookup tables. Additionally, Applicant finds no teaching or suggestion of broadcasting the stored lookup tables of the Blatter reference. The lookup tables of the Blatter reference are stored (see citations above) within the selection unit 45 and selection unit 47 for processing of received or stored programs. As such, the lookup tables stored within the selection unit 45 and selection unit 47 are not broadcast as required by claim 1. Accordingly, for at least this additional reason, the Blatter reference does not anticipate claim 1 and the rejection of claim 1 should be withdrawn.

Based upon the numerous elements of claim 1 that are missing from the Blatter reference, the Patent Office has not shown where each and every element of claim 1 is taught or suggested within the Blatter reference. Accordingly, the Blatter reference does not anticipate claim 1 for at least these reasons and the rejection of claim 1 should be withdrawn. Applicant reserves the right to provide additional arguments against the rejection of claim 1 in the future if needed.

Claims 2 and 3 depend from claim 1. Accordingly, the rejection of claims 2 and 3 should be withdrawn for at least the same reasons as claim 1. Applicant reserves the right to provide additional arguments against the rejection of claims 2 and 3 in the future if needed. Applicant respectfully submits that claims 1-3 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 4-7

Regarding the rejection of claim 4, claim 4 recites, among other things, "receiving a lookup table relating primary PIDs to shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, page 4). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs and does not teach or suggest Applicant's lookup table that relates primary PIDs to shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest receiving a lookup table relating primary PIDs to shadow PIDs as claimed.

Accordingly, the Blatter reference does not anticipate claim 4 for at least these several reasons and the rejection of claim 4 should be withdrawn.

Applicant respectfully submits that additional elements of claim 4 are also not taught or suggested by the Blatter reference. For example, claim 4 also recites, among other things "determining, from the PMT and the lookup table that a program is associated with both a primary PID and a shadow PID; and setting a PID filter to permit passage of packets having both primary and shadow PIDs." Applicant respectfully submits that multiple elements of these phrases of claim 4 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 4 in the future if needed.

Claims 5-7 depend from claim 4. Accordingly, the rejection of claims 5-7 should be withdrawn for at least the same reasons as claim 4. Applicant reserves the right to provide additional arguments against the rejection of claims 5-7 in the future if needed. Applicant respectfully submits that claims 4-7 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 8-16

Regarding the rejection of claim 8, claim 8 recites, among other things, "receiving an incoming data stream having packets with the primary and shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, page 5). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest receiving an incoming data stream having packets with the primary and shadow PIDs as claimed. Accordingly, the Blatter reference does not anticipate claim 8 for at least these reasons and the rejection of claim 8 should be withdrawn.

Applicant respectfully submits that additional elements of claim 8 are also not taught or suggested by the Blatter reference. For example, claim 8 also recites, among other things "providing a stream of packets having the primary PID to a first buffer; detecting a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer in response to the detecting; and searching a last packet stored in the first buffer for a packet corresponding to the packet having the shadow PID." Applicant respectfully submits that multiple elements of these phrases of claim 8 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 8 in the future if needed.

Claims 9-16 depend, either directly or indirectly, from claim 8. Accordingly, the rejection of claims 9-16 should be withdrawn for at least the same reasons as claim 8. Applicant reserves the right to provide additional arguments against the rejection of claims 9-16 in the future if needed. Applicant respectfully submits that claims 8-16 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 17-25

Regarding the rejection of claim 17, claim 17 recites, among other things, "receiving an incoming data stream having packets with the primary and shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, pages 5 and 6). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest receiving an incoming data stream having packets with the primary and shadow PIDs as claimed. Accordingly, the Blatter reference does not anticipate claim 17 for at least these reasons and the rejection of claim 17 should be withdrawn.

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Applicant respectfully submits that additional elements of claim 17 are also not taught or suggested by the Blatter reference. For example, claim 17 also recites, among other things "providing a stream of packets having the primary PID to a first buffer; detecting a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer in response to the detecting; and searching a first packet stored in the second buffer for a packet corresponding to the packet having the shadow PID." Applicant respectfully submits that multiple elements of these phrases of claim 17 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 17 in the future if needed.

Claims 18-25 depend, either directly or indirectly, from claim 17. Accordingly, the rejection of claims 18-25 should be withdrawn for at least the same reasons as claim 17. Applicant reserves the right to provide additional arguments against the rejection of claims 18-25 in the future if needed. Applicant respectfully submits that claims 17-25 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 26-34

Regarding the rejection of claim 26, claim 26 recites, among other things, "receiving an incoming data stream having packets with the primary and shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, pages 5 and 7). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest receiving an incoming data stream having packets with the primary and shadow PIDs as claimed. Accordingly, the Blatter reference does not anticipate claim 26 for at least these reasons and the rejection of claim 26 should be withdrawn.

Applicant respectfully submits that additional elements of claim 26 are also not taught or suggested by the Blatter reference. For example, claim 26 also recites, among other things "providing a stream of packets having the primary PID to a first buffer; detecting a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer in response to the detecting; and searching a first packet stored in the second buffer and a last packet stored in the first buffer for a packet corresponding to the packet having the shadow PID." Applicant respectfully submits that multiple elements of these phrases of claim 26 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 26 in the future if needed.

Claims 27-34 depend, either directly or indirectly, from claim 26. Accordingly, the rejection of claims 27-34 should be withdrawn for at least the same reasons as claim 26. Applicant reserves the right to provide additional arguments against the rejection of claims 27-34 in the future if needed. Applicant respectfully submits that claims 26-34 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 35-43

Regarding the rejection of claim 35, claim 35 recites, among other things, "receiving an incoming data stream having packets with the primary and shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, pages 5 and 7). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest receiving an incoming data stream having packets with the primary and shadow PIDs as claimed. Accordingly, the Blatter reference does not anticipate claim 35 for at least these reasons and the rejection of claim 35 should be withdrawn.

Applicant respectfully submits that additional elements of claim 35 are also not taught or suggested by the Blatter reference. For example, claim 35 also recites, among other things "providing a stream of packets having the primary PID to a first buffer; detecting a packet having the shadow PID and a shadow payload in the incoming data stream; switching the stream of packets having the primary PID to a second buffer in response to the detecting; determining a memory address for a storage location in the first buffer at a time of the detecting; and searching for a packet stored at approximately the memory address in the first buffer for a packet corresponding to the packet having the shadow PID." Applicant respectfully submits that multiple elements of these phrases of claim 35 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 35 in the future if needed.

Claims 36-43 depend, either directly or indirectly, from claim 35. Accordingly, the rejection of claims 36-43 should be withdrawn for at least the same reasons as claim 35. Applicant reserves the right to provide additional arguments against the rejection of claims 36-43 in the future if needed. Applicant respectfully submits that claims 35-43 are in condition for allowance and notice of the same is requested at the earliest possible date.

Claims 44-51

Regarding the rejection of claim 44, claim 44 recites, among other things, "a demultiplexer receiving an incoming data stream having packets with the primary and shadow PIDs . . . ." The Patent Office asserts that this element is found with the Blatter reference and cites multiple sections of the Blatter reference for this premise. (See Final Office Action dated October 16, 2008, pages 5 and 8). However, Applicant has reviewed the Blatter reference in detail and finds that the actual disclosure of the Blatter reference is different from that asserted by the Patent Office.

As discussed in detail above, the Blatter reference does not teach or suggest Applicant's shadow PIDs. As such, Applicant respectfully submits that the Blatter reference also does not teach or suggest a detmultiplexer receiving an incoming data stream having packets with the

primary and shadow PIDs as claimed. Accordingly, the Blatter reference does not anticipate claim 44 for at least these reasons and the rejection of claim 44 should be withdrawn.

Applicant respectfully submits that additional elements of claim 44 are also not taught or suggested by the Blatter reference. For example, claim 44 also recites, among other things "means for detecting a packet having the shadow PID and a shadow payload in the incoming data stream; an interrupt handler that generates an interrupt as a result of detecting the packet having the shadow PID; means for toggling the stream of packets having the primary PID to the other of the first and second primary packet buffers in response to the interrupt; and program means running on the microcomputer for identifying a location of a packet adjacent the detected packet at least one of the first and second primary packet buffers." Applicant respectfully submits that multiple elements of these phrases of claim 44 are also not taught or suggested by the Blatter reference and that detailed discussion is not needed at this time. Applicant reserves the right to provide additional arguments against the rejection of claim 44 in the future if needed.

Claims 45-51 depend, either directly or indirectly, from claim 44. Accordingly, the rejection of claims 45-51 should be withdrawn for at least the same reasons as claim 44. Applicant reserves the right to provide additional arguments against the rejection of claims 45-51 in the future if needed. Applicant respectfully submits that claims 44-51 are in condition for allowance and notice of the same is requested at the earliest possible date.

Concluding Remarks

Applicant believes that the many distinctions between Applicant's claims and the Blatter reference make it unnecessary to provide further arguments at this point. As such, failure to address each and every argument made by the Patent Office is believed unnecessary at this point. Accordingly, failure to address each and every point made by the Patent Office is not to be considered acquiescence to any such point.

In view of the discussion above, claims 1-51 are now in proper condition for allowance. Reconsideration is respectfully requested and notice of allowance for all pending claims is respectfully requested at the earliest possible date.

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If any issues remain, the Examiner is again encouraged to contact the undersigned to expedite allowance and issue and avoid the necessity and expense of appeal.

Respectfully submitted,

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